IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA MIDDLE DIVISION

JOSHUA OTWELL, et al.,]	
]	
Plaintiffs,]	
]	
v.]	4:19-cv-01120-ACA
	ī	
HOME POINT FINANCIAL CORP.,	j	
]	
Defendant.]	

ORDER AND PARTIAL JUDGMENT

Consistent with the accompanying opinion, the court **GRANTS IN PART** and **DENIES IN PART** Defendant Home Point Financial Corporation's ("Home Point") motion for summary judgment.

The court **ENTERS SUMMARY JUDGMENT** in favor of Home Point and against Plaintiffs Joshua Otwell and Danna Lee Otwell as to: (1) the parts of Count One seeking emotional distress and statutory damages; (2) the part of Count Two seeking emotional distress damages; and (3) the entirety of Count Five.

The court **DENIES** the motion for summary judgment as to: (1) the part of Count One seeking pecuniary damages; and (2) the parts of Count Two seeking pecuniary and statutory damages. Those claims will proceed.

DONE and **ORDERED** this February 9, 2021.

ANNEMARIE CARNEY AXON

UNITED STATES DISTRICT JUDGE